



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

SEP 19 2016

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Via FOIA On-Line and Email

Susan V. Harris
Sidley Austin LLP
One South Dearborn
Chicago, Illinois 60603
svharris@sidley.com

Re: Freedom of Information Act Request (HQ-2016-010245)

Dear Susan:

I am in receipt of your FOIA Request (HQ-2016-010245) dated September 14, 2016. We have performed a comprehensive search for the requested information and are providing two deposition transcripts and the accompanying exhibits.

This information is being made available to you under the provisions of the Freedom of Information Act, 5 U.S.C. § 552 and Agency regulation, 40 C.F.R. Part 2. Section 2.102 of the aforementioned regulation authorizes the assessment of a fee to cover the search and reproduction cost incurred by the Environmental Protection Agency in complying with information requests where the total cost to the Agency exceeds \$25.00. As the cost to the Agency did not exceed \$25.00, there is no fee assessment for this FOIA request.

No information has been withheld as exempt from mandatory disclosure pursuant to 5 U.S.C. § 552(b).

This letter concludes our response to your request. You may appeal this response by email at hq.foia@epa.gov, or by mail to the National Freedom of Information Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals *received* after the 90-calendar-day limit. Appeals received after 5:00 pm EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible

handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; email, ogis@nara.gov; telephone, (301) 837-1996 or (877) 684-6448; or fax, (301) 837-0348.

Should you have any questions, you may contact Kathryn Caballero at (202) 564-1849.

Sincerely,

A handwritten signature in blue ink, appearing to read "Evan Belser".

Evan Belser

for

Phillip A. Brooks
Air Enforcement Division
Office of Civil Enforcement